

## § 36.9

## 14 CFR Ch. I (1–1–01 Edition)

Stage 3 airplane after the change in type design.

[Amdt. 36–7, 42 FR 12371, Mar. 3, 1977; Amdt. 36–8, 43 FR 8730, Mar. 2, 1978; Amdt. 36–10, 43 FR 28420, June 29, 1978; Amdt. 36–12, 46 FR 33464, June 29, 1981; Amdt. 36–15, 53 FR 16366, May 6, 1988; 53 FR 18950, May 25, 1988; Amdt. 36–17, 54 FR 21042, May 15, 1989]

### **§ 36.9 Acoustical change: Propeller-driven small airplanes and propeller-driven commuter category airplanes.**

For propeller-driven small airplanes in the primary, normal, utility, acrobatic, transport, and restricted categories and for propeller-driven, commuter category airplanes for which an acoustical change approval is applied for under § 21.93(b) of this chapter after January 1, 1975, the following apply:

(a) If the airplane was type certificated under this part prior to a change in type design, it may not subsequently exceed the noise limits specified in § 36.501 of this part.

(b) If the airplane was not type certificated under this part prior to a change in type design, it may not exceed the higher of the two following values:

(1) The noise limit specified in § 36.501 of this part, or

(2) The noise level created prior to the change in type design, measured and corrected as prescribed in § 36.501 of this part.

[Amdt. 36–16, 53 FR 47400, Nov. 22, 1988; 53 FR 50157, Dec. 13, 1988; Amdt. 36–19, 57 FR 41369, Sept. 9, 1992]

### **§ 36.11 Acoustical change: Helicopters.**

This section applies to all helicopters in the primary, normal, transport, and restricted categories for which an acoustical change approval is applied for under § 21.93(b) of this chapter on or after March 6, 1986. Compliance with the requirements of this section must be demonstrated under appendix H of this part, or, for helicopters having a maximum certificated takeoff weight of not more than 6,000 pounds, compliance with this section may be demonstrated under appendix J of this part.

(a) *General requirements.* Except as otherwise provided, for helicopters covered by this section, the acoustical

change approval requirements are as follows:

(1) In showing compliance with the requirements of appendix H of this part, noise levels must be measured, evaluated, and calculated in accordance with the applicable procedures and conditions prescribed in parts B and C of appendix H of this part. For helicopters having a maximum certificated takeoff weight of not more than 6,000 pounds that alternatively demonstrate compliance under appendix J of this part, the flyover noise level prescribed in appendix J of this part must be measured, evaluated, and calculated in accordance with the applicable procedures and conditions prescribed in parts B and C of appendix J of this part.

(2) Compliance with the noise limits prescribed in section H36.305 of appendix H of this part must be shown in accordance with the applicable provisions of part D of appendix H of this part. For those helicopters that demonstrate compliance with the requirements of appendix J of this part, compliance with the noise levels prescribed in section J36.305 of appendix J of this part must be shown in accordance with the applicable provisions of part D of appendix J of this part.

(b) *Stage 1 helicopters.* Except as provided in § 36.805(c), for each Stage 1 helicopter prior to a change in type design, the helicopter noise levels may not, after a change in type design, exceed the noise levels specified in section H36.305(a)(1) of appendix H of this part where the demonstration of compliance is under appendix H of this part. The tradeoff provisions under section H36.305(b) of appendix H of this part may not be used to increase any Stage 1 noise level beyond these limits. If an applicant chooses to demonstrate compliance under appendix J of this part, for each Stage 1 helicopter prior to a change in type design, the helicopter noise levels may not, after a change in type design, exceed the Stage 2 noise levels specified in section J36.305(a) of appendix J of this part.

(c) *Stage 2 helicopters.* For each helicopter that is Stage 2 prior to a change in type design, the helicopter must be